

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

**ANTHONY JAI BROWN,  
BOP ID 56283-019,  
Petitioner**

v.

**UNITED STATES OF AMERICA,  
Respondent.**

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**MOTION TO VACATE  
28 U.S.C. § 2255**

**CIVIL ACTION NO.  
1:17-CV-2132-ELR-CMS**

**CRIMINAL ACTIO NO.  
1:04-CR-647-ELR-CMS**

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**O R D E R**

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This matter is before the Court for consideration of the Report and Recommendation (“R&R”) of Magistrate Judge Catherine M. Salinas [Doc. 23]. Judge Salinas recommends that Petitioner’s § 2255 Motion [Doc. 22] be denied and that a Certificate of Appealability be denied as well.

After conducting a careful and complete review of a magistrate judge’s findings and recommendations, a district court judge may accept, reject, or modify a magistrate judge’s R&R. 28 U.S.C. § 636(b)(1) (C); Williams v. Wainwright, 681 F.2d 732 (11<sup>th</sup> Cir. 1982). No objections to the magistrate judge’s R&R have been filed, and therefore, the Court has reviewed the R&R for plain error. See United States v. Slay, 714 F.2d 1093, 1095 (11<sup>th</sup> Cir. 1983). The Court finds no error.

Accordingly the Court **ADOPTS** the R&R [Doc. 23] as the opinion of this Court. For the reasons stated in the R&R, the Court **DENIES** Petitioner's § 2255 Motion [Doc. 22]. Additionally, the Court **DECLINES** to issue a certificate of appealability because after considering 28 U.S.C. § 2253(c)(2), the Court finds that Petitioner has not made a substantial showing of the denial of a constitutional right. The Court **DIRECTS** the Clerk to **CLOSE** the civil case associated with Petitioner's § 2255 Motion: Civil Action No. 01:17-CV-2132-ELR-CMS.

**SO ORDERED**, this 27<sup>th</sup> day of July, 2017.

Eleanor L. Ross  
Eleanor L. Ross  
United States District Judge  
Northern District of Georgia